FEDERAL COMMUNICATIONS COMMISSION

ENFORCEMENT BUREAU
NORTHEAST REGION

Detroit Office
24897 Hathaway Street
Farmington Hills, Michigan 48375

January 29, 2008

(Sent via Certified Return Receipt Requested and First Class U.S. Mail)

Michael Paul Fennell
Clinton Township, Michigan

NOTICE OF UNLICENSED OPERATION

Case Number: EB-08-DT-004
Document Number: W200832360008

The Detroit Office received information that you have been operating an unlicensed amateur radio station on various amateur radio frequencies, including 146.580 MHz, in the Clinton Township, Michigan area. In addition, the information received indicated that you have been operating your Citizens Band ("CB") Radio Service station illegally and causing interference in the area.

On January 3, 2008, an agent from this office inspected the radio stations at your residence and confirmed that you operate an amateur radio station. The Commission's records show that you do not have a license to operate an amateur radio station. Amateur radio stations must be licensed by the FCC pursuant to 47 U.S.C. § 301. The agent also inspected the radio in your motor vehicle and found that you were operating a Magnum S-9 transceiver, which is a non-certified CB transceiver. Pursuant to Section 95.409(a) of the Commission's rules, 47 C.F.R. § 95.409(a), use of a non-certified transceiver voids your authority to operate this CB station

You are hereby warned that your operation of these radio stations constitutes a violation of the Federal laws cited above and could subject you to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

UNLICENSED OPERATION OF THESE RADIO STATIONS MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond regarding the unlicensed amateur radio station operation and the unlicensed operation of your CB station. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

James A. Bridgewater
District Director
Detroit Office

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet", July 2003